

| | | |
|--|---|---|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 2003390-0033 (000711-0070) |
| | | US APPLICATION NO. (If known, see 37 CFR 1.5) 10/587960 To be assigned |
| INTERNATIONAL APPLICATION NO. PCT/CA2005/000138 | INTERNATIONAL FILING DATE February 3, 2005 | PRIORITY DATE CLAIMED February 3, 2004 |
| TITLE OF INVENTION USE OF LIVE BACTERIA FOR GROWTH PROMOTION IN ANIMALS | | |
| APPLICANT(S) FOR DO/EO/US Nadeau, et al. | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). Publication WO 2005/074706 (38 pages with figures, including front page) b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)). <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendment has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). | | |
| Items 11 to 20 below concern document(s) or information included: | | |
| <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.) 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment (5 pages). 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: 21. <input checked="" type="checkbox"/> Return Postcard | | |

| | | | | | |
|---|--------------|---|--------------|--|-----------------|
| 22. <input checked="" type="checkbox"/> International Search Report and Written Opinion (8 pages) | | | | | |
| U.S. APPLICATION NO. 10/537960 TO BE ASSIGNED | | INTERNATIONAL APPLICATION NO. PCT/CA2005/000138 | | ATTORNEY'S DOCKET NUMBER 2003390-0033 (000711-0070) | |
| 23. The following fees are submitted: | | | | Applicant use | Office use only |
| <input checked="" type="checkbox"/> a) Basic national fee\$300.00 | | | | \$ 300.00 | |
| <input checked="" type="checkbox"/> b) Examination fee.....\$200.00 | | | | \$ 200.00 | |
| <input checked="" type="checkbox"/> c) Search fee (International Search Report prepared by an ISA other than the US).....\$400.00 | | | | \$ 400.00 | |
| TOTAL OF ABOVE CALCULATIONS =\$900.00 | | | | \$ 900.00 | |
| <input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| 38 - 100 = | 0/50 = | 0 | x \$0 | \$ -0- | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)). | | | | \$130.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 32 - 20 = | 12 | 12 x \$50.00 | \$ 600.00 | |
| Independent claims | 2 - 3 = | 0 | 0 x \$200.00 | \$ -0- | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | YES | \$360.00 | \$ 360.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$1,990.00 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$995.00 | |
| SUBTOTAL = | | | | \$ 995.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)) | | | | \$ -0- | |
| TOTAL NATIONAL FEE = | | | | \$ 995.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ -0- | |
| TOTAL FEES ENCLOSED = | | | | \$995.00 | |
| Amount to be refunded | | | | | \$ |
| Amount to be charged | | | | | \$ |

10/587960

PTO-1390 (Rev. 12-2004)
Approved for use through 3/31/2007. OMB 0651-0021


IAP11 Rec'd PCT/PTO 31 JUL 2006

- a. ☒ A Credit Card Payment Form authorizing the amount of \$995.00 over the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 03-1721 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1721. A duplicate of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Patent Group
Choate, Hall & Stewart LLP
Two International Place
Boston, Massachusetts 02110
Tel: 617-248-5000
Fax: 617-248-4000
Dated: July 31, 2006


Signature
Cameron M. Luitjens, Ph.D.
Name
58,674
Registration Number

Certificate of Mailing

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail (Express Mail No. EV 780262775 US) in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

7-31-06
Date

Sandra Saccoccia
Signature

Typed or Printed Name of person signing certificate

Date: July 31, 2006

Express Mail No.: EV 780262775 US

The Patent and Trademark Office stamping sets forth filing and receipt date (or both the receipt date and the Serial Number) of a US NAT'L PATENT APPLICATION UNDER 35 U.S.C. § 371 identified as follows:

| | |
|-------------------|--|
| Applicant: | Universite De Montreal, <i>et al.</i> |
| Serial No.: | To Be Assigned |
| Filed: | July 31, 2006 |
| Corresp. to: | PCT/CA2005/000138 |
| Int. Filing Date: | February 3, 2005 |
| Earliest Priority | February 3, 2004 |
| Title: | Use of Live Bacteria for Growth Promotion in Animals |

1. Transmittal Letter Concerning a Filing Under 35 U.S.C. 371 (3 pages.);
2. Copy of International Publication WO 2005/074706 A1 (38 pages including front pages);
3. Preliminary Amendment (5 pages)
4. International Search Report and Written Opinion (8 pages);
5. Credit Card Payment Form (1 page); and
6. This Return Postcard.

Attorney: BHJ/CML Case No. 2003390-0033 / Client Ref.: 000711-0070

4105584_1.DOC